

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

LANTHEUS MEDICAL IMAGING, INC.,

Plaintiff,

v.

ZURICH AMERICAN INSURANCE
COMPANY,

Defendant.

Case No. 10 Civ. 9371 (LTS) (MHD)

ECF CASE

**PLAINTIFF LANTHEUS MEDICAL IMAGING, INC.'S NOTICE OF
MOTION FOR ISSUANCE OF AMENDED LETTERS ROGATORY**

PLEASE TAKE NOTICE that, upon the Declarations of Rukesh A. Korde, Brett Harrison, and Anna St. John and the exhibits thereto, the accompanying memorandum of law, all dated August 29, 2011, and all prior pleadings and proceedings herein, Plaintiff Lantheus Medical Imaging, Inc. ("Lantheus") moves this Court for an Order directing that Amended Letters Rogatory issue to the Court of Ontario, Canada requesting the appointment of Brett Harrison, an attorney at the law firm of McMillan LLP and a qualified person authorized to administer oaths by the laws of the Province of Ontario, Canada, and whose address is Brookfield Place, Suite 4400, 181 Bay Street, Toronto, Ontario, Canada M5J 2T3, or some other competent person, for the purpose of:

1. compelling the deposition of a representative for Atomic Energy of Canada Limited ("AECL");
2. compelling AECL, at least twenty-one days prior to its deposition, to produce for inspection and copying by Lantheus the documents described in the Schedule "A" (Revised) attached to the (proposed) Amended Letters Rogatory; and
3. awarding such other and further relief as the Court deems necessary and proper;

all in connection with the above-captioned action.

Counsel for Lantheus has conferred with counsel for defendant Zurich American Insurance Company, and Zurich does not oppose this motion.

DATED: August 29, 2011

Respectfully submitted,

s/ Danielle M. Estrada
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